Los Angeles County Sheriff's Department
Officer Involved Shooting

Report Date: MAY 4, 2004	Bureau/Station/Facility: LANCASTER STATION		Admin. Invest.? ☐	Hit? ☒

Incident Information

URN: 004-08237-1132-013	Date: MAY 4, 2004 Time: 2245 HOURS
City or Station: LANCASTER STATION	Nature of Incident: Dep's responded to a 273.5 call. Susp confronted Dep's in street armed with a knife. Susp. threatened Dep's with knife and told Dep's they would have to kill him. Dep's fired when Susp advanced on Dep.
Location: [redacted] E. KETTERING ST.	

Location Type (circle one or more): Backyard, Beach, Business, Freeway, Industrial, Park, Parking Lot, Residence, Rural, School, (Street), Other: ______

Lighting (circle only one): Darkness, Daylight, Other, (Street Lights)

Weather (circle only one): (Clear), Cloudy, Fog, Rain

Distance:

Incident Type (circle one or more): Accidental, (Armed Person), Fleeing Suspect, Foot Pursuit, Gun Take Away, Moving Vehicle, Sniper/Ambush, Startle, Struggle Involved, Traffic Stop, Unarmed Person, Unintentional, Vehicle Pursuit, Warrant Service, Other: ______

Initiated by (circle only one): Arrest Warrant, (Call), Observation, One Person Unit, Other, Search Warrant, Two Person Unit

Prior Activity (circle only one): Detective, Inmate Transport, Other, (Routine Patrol)

Total # of Shots Fired by Deputy	Total # of Shots Fired by Suspect	Aero Unit?	Canine Unit?
8	0	☐	☐

Employee Witnesses

Employee #	Last Name	First Name	M.I.	ShiftTime (circle only one)	ShiftType (circle only one)
[redacted]	CARTMILL	RICHARD	J.	(EM) PM Day	(Regular) Overtime Off Duty
[redacted]	LANGDON	TIMOTHY	O.	EM PM Day	Regular Overtime (Off Duty)
				EM PM Day	Regular Overtime Off Duty

Non-Employee Witnesses

Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph [redacted]	Home Ph [redacted]	
Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph	Home Ph [redacted]	
Last Name [redacted]		First Name [redacted]		M.I.	
Street Address [redacted]	City [redacted]	Zip Code [redacted]	Work Ph	Home Ph [redacted]	

Supervisors

Employee #	Last Name	First Name	M.I	(circle one or more)	
[redacted]	SCHOONMAKER	BRIAN	J.	(On Duty) Present during shooting	Witness to shooting Involved in shooting
[redacted]	ELLISON	ADAM	C.	(On Duty) Present during shooting	Witness to shooting Involved in shooting

Watch Sergeant

Employee #	Last Name	First Name	M.I.
[redacted]	VAUGHAN	STEPHEN	D.

Watch Commander

Employee #	Last Name	First Name	M.I.
[redacted]	STEWART	EDWARD	

PSTD Use Only
SH # 2117965

SH-R-438A rev. 3/97

See Reverse

Officer Involved Shooting

Rollout Information

Arrival Date	Arrival Time	Date Submitted	Date of Recommendation
MAY 5, 2004	0115		

Employee #	Last Name	First Name	M.I
[redacted]	JOHNSON	GREGORY	H.
[redacted]	SMITH	RICHARD	G.
[redacted]	BAIRD	MARSHALL	W.

Shooting/Force Information

Method

(AW) Arwen
(BC) Baton:(Control)
(BI) Baton:(Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds:(Control Techniques)
(TT) Control Holds:(Team Takedown)
(TD) Control Holds:(Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(CN) Restraint Device (Capture Net)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device:Hobble (Legs Only)
(TP) Restraint Device:Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(SG) 37mm Stinger
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Injured

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hand
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(SH) Shoulder
(WR) Wrist

Brand

(AK) AK-47
(BN) Benelli
(BR) Beretta
(BW) Browning
(CH) Charter Arms
(CO) Colt
(DA) Davis Industries
(GL) Glock
(HA) Harrington & Richardson
(HI) Hi Standard
(HK) H & K
(IT) Ithica
(IV) Iver Johnson
(JE) Jennings
(LO) Lorcin
(LU) Luger
(MA) Marlin
(MO) Mossberg
(NC) NCI aka SKS
(NA) North American
(NO) Norinco
(RA) Raven
(RM) Remington
(RG) RG
(RI) RGI
(RO) Rossi
(SW) Smith & Wesson
(SR) Sturm Ruger
(ST) Sterling
(TA) Taurus
(WE) Weatherby
(WN) Winchester
(US) US Government
(YY) Handmade (Inmate)
(XX) Homemade (Non-Inmate)
(ZZ) Other Brand

Caliber

(9) 9 mm
(10) 10 mm
(12) 12 guage
(20) 20 guage
(21) .22-250
(22) .22 caliber
(23) .223 caliber
(24) .243 caliber
(25) .25 caliber
(30) .308 caliber
(35) .357 caliber
(36) 30-60 caliber
(38) .38 caliber
(40) .40 caliber
(41) .410 guage
(44) .44 caliber
(45) .45 caliber
(50) 50 mm
(SL) Slug
(WW) Other caliber

FORCE APPLIED (one code per block)

Used By (E# or S#)	Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	Body Part (Code)
S#1	E#1	OE	ZZ				NN	
S#1	E#2	OE	ZZ				NN	
S#1	E#3	OE	ZZ				NN	
E#1	S#1	FH	BR	9	Y	Y	GS	BK
E#2	S#1	FH	BR	9	Y	Y	GS	BK
E#3	S#1	TR			Y		NN	

See Front Side

Officer Involved Shooting
Involved Employee Information

URN: 004-08237-1132-013

Involved Employee

E 1

Employee # [redacted]	Last Name DEAVILLE	First Name CHRISTOPHER	M.I. T.
Sex: M Race: WHT	Rank DEPUTY SHERIFF	Unit Assignment: LANCASTER STATION	Work Assignment (Unit #, Module, etc.): 111N/PM
ShiftTime (*circle only one*): EM **PM** Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted]	Height: 6'01" Weight: 215lbs		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date: [redacted]	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E 2

Employee # [redacted]	Last Name WATTERS	First Name CHADNEY	M.I. B.
Sex: M Race: WHT	Rank DEPUTY SHERIFF	Unit Assignment: LANCASTER STATION	Work Assignment (Unit #, Module, etc.): 111B/PM
ShiftTime (*circle only one*): EM **PM** Day	ShiftType (*circle only one*): **Regular** Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs): [redacted]	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, **Uniform w/ Vest**	Other Factors:
Age: [redacted]	Height: 5'09" Weight: 185 lbs		
Range Qualification Date: [redacted]	PPC Qualification Date: [redacted]	Laser Training Date:	
Certified with Weapon Used? [redacted]	Patrol Certification? [redacted]	Certification Unit: [redacted]	Prior Shootings? [redacted] Number of Prior Shootings: [redacted]
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.
Field Training Officer Emp # [redacted]	Last Name [redacted]	First Name [redacted]	M.I.

E

Employee #	Last Name	First Name	M.I.
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc.):
ShiftTime (*circle only one*): EM PM Day	ShiftType (*circle only one*): Regular Overtime Off Duty	Intoxication/Drug Usage? ☐	Substance Used:
Hospital Admission? ☐	Hospital Name:	Coroner Case? ☐	Coroner Case # / Interviewed? ☐
Hrs of sleep prior to shooting:	Duty Time (hrs):	Clothing (*circle only one*): Plain Clothes no Vest, Raid Jacket w/ Vest, Plain Clothes w/ Vest, Uniform no Vest, Raid Jacket no Vest, Uniform w/ Vest	Other Factors:
Age:	Height: Weight:		
Range Qualification Date:	PPC Qualification Date:	Laser Training Date:	
Certified with Weapon Used? ☐	Patrol Certification? ☐	Certification Unit:	Prior Shootings? ☐ Number of Prior Shootings:
Field Training Officer Emp #	Last Name	First Name	M.I.
Field Training Officer Emp #	Last Name	First Name	M.I.

Officer Involved Shooting Suspect Information

URN: 004-08237-1132-013

Suspect Information

S 1

Last Name DELGADO		First Name LUIS	M.I. F.
AKA Last Name		First Name	M.I.
Sex: M Race: HISP	Street Address: [redacted]	City [redacted]	State & Zip Code: [redacted]
Work Phone:	Home Phone: [redacted]	Social Security #: [redacted]	Driver's License #: [redacted]
Age: 30 D.O.B. 01/03/74	Height: 5'11" Weight: 185	FBI #	CII # [redacted]
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☒	Coroner Case # 2004-03487	Intoxication/Drug Usage? ☒	Substance Used: ALCOHOL
Armed? ☒	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

S__

Last Name		First Name	M.I.
AKA Last Name		First Name	M.I.
Sex: Race:	Street Address:	City	State & Zip Code:
Work Phone:	Home Phone:	Social Security #:	Driver's License #:
Age: D.O.B.	Height: Weight:	FBI #	CII #
Booking #	Primary Charge:	Secondary Charge:	
Coroner Case? ☐	Coroner Case #	Intoxication/Drug Usage? ☐	Substance Used:
Armed? ☐	Apprehended? ☐	Mental Illness? ☐	Criminal History? ☐
Vehicle Make		Model:	Year:

SUPPLEMENTAL NON-EMPLOYEE WITNESSES
Los Angeles County Sheriff's Department

Non-Employee Witnesses

Last Name [redacted]	First Name [redacted]		M.I.	
Street Address [redacted]	Zip Code [redacted]	Work Ph	Home Ph [redacted]	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	
Last Name	First Name		M.I.	
Street Address	Zip Code	Work Ph	Home Ph	

INVESTIGATIVE SUMMARY
USE OF FORCE
TYPE: DEPUTY INVOLVED SHOOTING-SUSPECT DECEASED
I.A.B. FILE NUMBER: SH 2117965
URN: 004-08237-1132-013

On Tuesday, May 4, 2004, Sergeants Richard Smith and Marshall Baird, along with Lieutenant Gregory Johnson of the Internal Affairs Bureau responded to [redacted] Kettering St., Lancaster, regarding a Deputy Involved Shooting involving Lancaster Station personnel. Lieutenant Jack Jordan and Detectives Steve Rubino, Richard Green, Frank Salerno, Donna Cheek, Richard Ramirez and Richard Garcia from Homicide Bureau were on scene to conduct the criminal investigation.

The summary of this incident is based on physical evidence collected the scene by Los Angeles Sheriff's Department Crime Lab personnel as well as information obtained from interviews of the involved employees and witnesses, whose individual statements are contained in the Homicide Bureau case package **(refer Exhibit A)**.

INVOLVED PERSONNEL:

Deputy Chadney Watters, #[redacted]	MW/[redacted]	5'11"/175lbs
Deputy Christopher Deaville, #[redacted]	MW/[redacted]	6'01"/205lbs

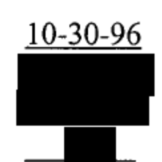
EMPLOYEE WORK HISTORY

WATTERS, Chadney

Date of Employment	06-11-98
Date Assigned to Patrol	[redacted]
Date Completed Patrol Training	[redacted]
Prior Founded Force Incidents	1

DEAVILLE, Christopher

Date of Employment	10-30-96
Date Assigned to Patrol	[redacted]
Date Completed Patrol Training	[redacted]
Prior Founded Force Incidents	[redacted]

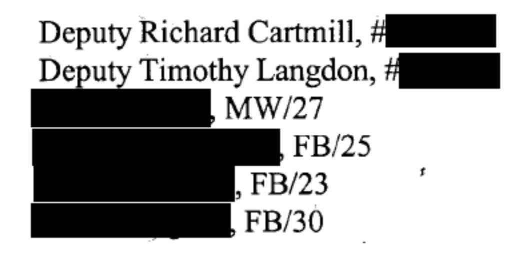
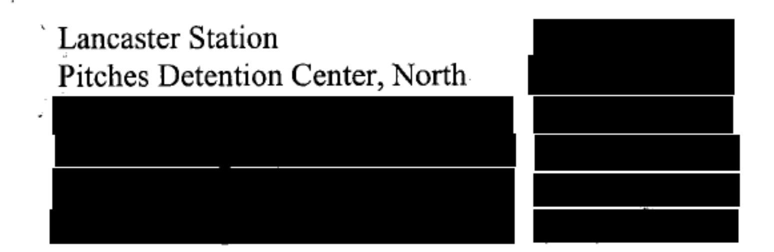


SUSPECT

Luis Delgado MH/31 5'11"/180lbs

Suspect Delgado has a history of one misdemeanor arrest for 647(b), P.C., Prostitution **(refer Exhibit C)**.

WITNESSES

Deputy Richard Cartmill, #[redacted]	Lancaster Station	[redacted]
Deputy Timothy Langdon, #[redacted]	Pitches Detention Center, North	[redacted]
[redacted], MW/27	[redacted]	[redacted]
[redacted], FB/25	[redacted]	[redacted]
[redacted], FB/23	[redacted]	[redacted]
[redacted], FB/30	[redacted]	[redacted]

INJURIES

No Deputies were injured in this incident.

Suspect Luis Delgado died as a result of this incident.

PHYSICAL EVIDENCE

The following items were found in the street in the area of the incident:

Eleven inch butcher knife with an approximate eight inch blade.

Eight expended 9MM shell casings

One Taser cartridge **(refer Exhibit I)**.

One Taser gun, Model 26, Ser#P2-003215 was found on the front seat of Deputy Cartmill's radio car.

INVESTIGATOR OBSERVATIONS:

Deputy Watters radio car was parked close to the north curbline of Kettering and Deputy Deaville's radio car was parked to the right and adjacent to Deputy Watters. Deputy Cartmill's radio car was parked west of Deputies Watters and Deaville and closer to the south curbline directly adjacent to the driveway at [redacted] Kettering St. **(refer Exhibit B, E & H)**. Numerous shell casings were seen in the area of the shooting. A large butcher knife was seen lying on the ground near the area where Suspect Delgado's clothes had

been removed to facilitate medical treatment **(refer Exhibit F)**. A taser cartridge was seen in at the rear of a parked vehicle east of the incident scene **(refer Exhibit I)**.

WEAPONS USED BY DEPUTY PERSONNEL:

Deputy Deaville used his Department issued Beretta Model 92F, 9MM, Ser# [redacted] and fired 5 rounds of Department issued ammunition.

Deputy Watters used his Department issued Beretta Model 92F, 9MM, Ser# [redacted] and fired 3 rounds of Department issued ammunition.

WEAPONS USED BY SUSPECTS

Suspect Delgado was armed with an eleven inch butcher knife with an eight inch blade **(refer Exhibit F)**.

PROPERTY DAMAGE:

No property damage was reported.

CRIMINAL INVESTIGATOR AND CHARGES FILED:

Homicide Bureau Detectives, Steve Rubino and Richard Green.

No charges were filed in this case.

LIGHTING OR WEATHER CONDITIONS:

This incident occurred during night time hours with standard city street lighting. The weather was clear and warm.

INVOLVED EMPLOYEES STATEMENTS:

Deputy Chadney Watters, #[redacted]

Deputy Watters said that he was assigned to Unit 111B, with a ride-along deputy, Witness Deputy Timothy Langdon, # [redacted], working the city of Lancaster. He was wearing a Sheriff's Department Class "B" uniform with Sam Brown gun belt and driving a marked Sheriff's Department black and white radio car.

Deputy Watters said that he received a radio call of a spousal assault occurring at [redacted] Kettering St., Lancaster. The call was updated and now informed him that the suspect was returning to the location to harm the children. He and his "sister" car 111N, Deputy Deaville, were instructed to

respond Code 3 which he and Deputy Deaville complied with. Deputy Deaville was in front of him when they arrived at the intersection of 5th St. East and Kettering St. He saw Deputy Deaville stop and contact Witness [redacted], who was standing on the southeast corner. A conversation occurred between Witness [redacted] and Deputy Deaville, but he was unable to hear what was said. Witness [redacted] entered Deputy Deaville's radio car and they both drove east on Kettering St.

Deputy Watters said he heard someone yell, "There he is, there he is, he's got a knife." Hearing this he stopped his radio car to the right of and adjacent to Deputy Deaville, who had also stopped, across from [redacted] Kettering St **(refer Exhibit G)**. He saw the suspect, holding a knife, standing behind a vehicle which was parked in the driveway of that location, approximately 10 to 15 yards from his position. He quickly exited his radio car and began ordering the suspect to drop the knife. The suspect stated "Fuck you, what are you going to do, shoot me?" At this point, due to the street lights illuminating the area so well, he dropped his flashlight in order to place both hands on his weapon for better control. The suspect walked down the driveway toward the front of Deputy Deaville's radio car and Deputy Deaville walked to the rear in order to create distance between the suspect and himself. As the suspect was standing at the front of Deputy Deaville's radio car, the suspect began focusing his attention on him (Deputy Watters) who was standing 5 to 7 yards away. At this time he saw a female standing in a doorway in a direct line behind the suspect. Feeling threatened and needing to remove the female from his line of fire, he told the female to go into the house and he backed away ordering the suspect to drop his knife. The suspect ignored the order and walked to the north sidewalk, then west to a vehicle parked on the street against the north curb line in front of [redacted] Kettering St. At this time he broadcast emergent radio traffic that a man with a knife was being detained. Immediately after this broadcast, he saw Deputy Cartmill drive east on Kettering St.

As he focused his attention on the suspect, he heard what sounded like Deputy Cartmill's door open. He then heard Deputy Deaville ask someone to get a taser. At this point he was standing 7 to 10 feet from Deputy Cartmill's radio car, Deputy Deaville was standing a couple of feet to his right and the suspect was still standing near the parked vehicle approximately 7 to 10 yards northwest of his position. He saw Deputy Cartmill run up, point a taser at the suspect and yell "taser." He said he heard the taser cycling, but did not see a projectile or any wires shoot out of the taser gun. He saw Deputy Cartmill look at the taser, shake it several times, remove the taser cartridge and throw it to the ground **(refer Exhibit I)**. Deputy Cartmill ran back to his vehicle and entered the driver's door, placing his back to the suspect. Deputy Cartmill's actions appeared to agitate the suspect, who, "with a determined look on his face," began walking toward Deputy Cartmill **(refer Exhibit H)**.

Deputy Watters began ordering the suspect to stop and put the knife down, which were ignored by the suspect. Deputy Cartmill's back was to the suspect and appeared to be looking for something in the front of his radio car, unaware of the suspect's aggressive actions toward him. He yelled "stop" several more times to the suspect; however, the suspect still refused to comply. Fearing for Deputy Cartmill's safety, he told Deputy Deaville that he was going to shoot and then

fired three rounds at the suspect as he heard Deputy Deaville, who was standing to his right, also fire his weapon. The suspect stepped back and then fell to the ground.

Deputy Christopher Deaville, #[redacted]

Deputy Deaville said that he was assigned to Unit 111N, working the city of Lancaster. He was wearing a Sheriff's Department Class "A" uniform with Sam Brown gun belt and driving a marked Sheriff's Department black and white radio car.

Deputy Deaville said that he received a radio call of a "Battery Now" at [redacted] Kettering St., Lancaster. He and his sister car 111N, Deputy Watters, were directed to respond Code 3. As they responded the call was updated to a corporal injury on a spouse and the suspect was armed with a knife.As he reached the corner of 5th St. East and Kettering St. he saw a little girl, Witness [redacted]. He stopped and contacted Witness [redacted], who advised him that her [redacted], had told her to run from the house. She also told him that the suspect was armed with a knife. He requested Witness [redacted] to enter his radio car and then drove east on Kettering St. with Deputy Watters behind him.

As he approached the location of the radio call, he heard a male voice yell, "He's right there and he has a knife." He stopped his radio car and immediately saw the suspect standing to his north, approximately 15 feet north of his vehicle, with a knife in his hand. The suspect appeared extremely upset and angry, causing him to quickly exit his radio car and draw his weapon. As he verbally contacted the suspect he saw Deputy Watters stop to the north of his vehicle and exit the radio car.

Upon contacting the suspect both he and Deputy Watters continually ordered the suspect to put his knife on the ground. The suspect refused to comply, stating, "Fuck you, just shoot me." The suspect walked down from the top of the driveway toward the front of his radio car. As the suspect did this, he retreated to the rear of the radio car to put distance between himself and the suspect. As the suspect was ordered to put his knife down, he became more tense and agitated. As this was occurring, Deputy Cartmill arrived and parked his radio car west of his and Deputy Watters radio cars. Upon Deputy Cartmill's arrival, the suspect focused his attention on Deputy Cartmill and began walking toward Deputy Cartmill past him (Deputy Deaville). He and Deputy Watters continued ordering the suspect to drop his knife to which the suspect continued to respond, "Fuck you, you're going to have to shoot me."

As Deputy Cartmill exited his vehicle, he heard Deputy Watters yell to get the taser. Deputy Cartmill approached the suspect holding a taser and he heard Deputy Watters yell, "tase him, tase him." Deputy Cartmill, from a distance of approximately 15 feet, deployed the taser and although he could hear the taser cycling, he did not see the dart or wires discharge from the gun. Deputy Cartmill appeared to struggle with the taser, then retreat to his radio car, entering the vehicle from the driver's door in an apparent attempt to locate something. The suspect, still focused on Deputy Cartmill, began aggressing toward Deputy Cartmill, who had his back turned

to the suspect. Seeing that the suspect was now within 5 to 8 feet of Deputy Cartmill, he feared for Deputy Cartmill's safety and fired his weapon, simultaneously hearing Deputy Watters begin firing his weapon. The suspect took a couple steps backward and fell to the ground. The suspect was taken into custody and paramedics were called.

WITNESSES STATEMENTS:

Deputy Richard Cartmill, #[redacted]

Deputy Cartmill said that immediately after briefing on the day of the incident, he went to his marked black and white radio car and checked his Mobile Data Terminal for activity in his area. He saw that Units 111B and 111N were handling a spousal abuse call at [redacted] Kettering St. Due to the fact that the location was close to the station, he responded to that location to back up those units.

As he turned east on Kettering St., he heard a request for assistance which also included the information that the suspect was armed with a knife. He saw radio cars in the street, proceeded to the area of the radio cars and stopped his vehicle. He immediately exited his radio car and saw that the suspect was holding a large butcher knife in his hand. He said that the suspect appeared to be "keyed up" and agitated. He could smell O. C. spray in the air and assumed that someone had attempted to control the suspect with the spray. He heard Deputies Deaville and Watters continuously giving the suspect commands to drop his knife to which the suspect replied numerous times, "Fuck you, shoot me."

As he exited his radio car he heard Deputy Deaville say "tase him." He entered his radio car and retrieved his taser. He confronted the suspect from a distance of approximately 10 to 15 feet and attempted to deploy the taser; however, the taser did not deploy, noting that the taser was cycling, but the barbs and wires had not shot from the gun. He examined the taser, saw that it had malfunctioned and removed the faulty cartridge, throwing it to the ground **(refer Exhibit I)**. He re-entered his radio car to retrieve a new cartridge and while leaning into his vehicle, heard Deputy Watters say, "I'm going to shoot him." When he heard Deputy Watters, he dropped the taser, removed his weapon from it's holster and was in the process of turning back toward the suspect when he heard several gunshots. When he faced the suspect he saw him stagger and fall to the ground. The suspect was taken into custody and Paramedics were summoned. He said that the suspect was given multiple opportunities to comply with the deputies commands, but ignored them all.

Deputy Timothy Langdon, #[redacted]

Deputy Langdon said that he is assigned to PDC North and was on a ride-along with Deputy Watters on the night of the incident. He was wearing civilian attire with his Sheriff's badge attached to his belt and armed with his 9MM Berretta.

Deputy Langdon said that Deputy Watters responded, along with Deputy Deaville, to a spousal assault call at [redacted] Kettering St. When they arrived at the intersection of 5th St. East and Kettering, they stopped and he saw Deputy Deaville talking with a female black juvenile (Witness [redacted]), who was standing on the southeast corner. Witness [redacted] entered Deputy Deaville's radio car and they proceeded east on Kettering St. As they approached the location, he heard someone yelling something, but he was unable to hear what was being said. Deputy Deaville stopped his vehicle and Deputy Watters stopped their vehicle to the right of Deputy Deaville. He exited the radio car and immediately saw the suspect standing to the north, holding a large knife. He heard the suspect yelling "Just fucking kill me, just fucking shoot me...what are you bitches going to do." Deputies Deaville and Watters ordered the suspect to drop his knife which were ignored as he made aggressive movements toward the deputies, waving the knife forward and backward.

He saw Deputy Cartmill arrive as the suspect moved west on the north sidewalk. As Deputy Cartmill exited his radio car, he heard Deaville request a taser. Upon hearing the request, he went to the trunk of Deputy Watters radio car and began looking for a taser. As he looked for the taser, he had his back to the confrontation, he heard a taser being deployed. He looked in the suspect's direction and saw that the taser had no effect on the suspect. He turned back toward the trunk and continued looking for a taser. With his back to the confrontation, he heard several gunshots, turned toward where he heard the gunshots and saw the suspect fall to the ground. The suspect was taken into custody without further incident.

[redacted]

Witness [redacted] said that at approximately 2145 hours on the night of the incident he was driving home and saw Suspect Delgado parked at the intersection of 5th St. East and Kettering St. He stopped and he and Suspect Delgado talked in the park at that location. He said that Suspect Delgado appeared "weird," noting that Suspect Delgado had lost a considerable amount of weight, was chewing on his gum veraciously and appeared ill or intoxicated. They separated and he went to his residence while Suspect Delgado remained in the parking lot of the park. When he exited his garage he saw Suspect Delgado walk toward the residence of his [redacted].

Witness [redacted] said that later that evening he heard yelling and glass breaking at Suspect Delgado ex-residence. He went to that location to ascertain what was happening and offer his assistance to Suspect Delgado's [redacted]. After knocking and receiving no response, but hearing Suspect Delgado's [redacted] yell for someone to help her, he kicked the front door open. Inside that location he saw Suspect Delgado and his [redacted] fighting and he ordered Suspect Delgado to stop; however, Suspect Delgado ignored him and continued his assault on his [redacted]. He saw them both enter the kitchen where Suspect Delgado armed himself with a butcher knife. Suspect Delgado's [redacted] was able to leave the location with Witness [redacted] and went to their residence. Suspect Delgado followed them, but was denied entry and told by Witness [redacted] not to go into his home. Suspect Delgado repeatedly told him to shoot him as he told Suspect Delgado to leave his residence.

Witness [redacted] said Suspect Delgado left that location and returned to his [redacted] residence. He followed Suspect Delgado as he entered that residence and continually told him drop the knife he was still carrying. When Suspect Delgado continued to refuse, Witness [redacted] sprayed Suspect Delgado with pepper spray. Suspect Delgado momentarily complied, but then lunged at him. He sprayed Suspect Delgado againwho then went into the bathroom. At this point Witness [redacted] said he called 9-1-1 and told the dispatcher that he sprayed Suspect Delgado with pepper spray. Suspect Delgado exited the residence and he followed him outside.

Outside Witness [redacted] saw that the deputies had arrived and he alerted deputy personnel that Suspect Delgado had just been pepper sprayed and that he was armed with a knife. The deputies ordered Suspect Delgado to drop the knife numerous times; however, Suspect Delgado refused and repeatedly told the deputies to "shoot me." He heard one of the deputies order that a taser be deployed and saw a taser dart strike Suspect Delgado; however, the taser had no effect. Suspect Delgado began to advance on the deputies with the knife in his hand and when Suspect Delgado was within ten feet of one of the deputies, the deputies fired. He heard three or four shots and Suspect Delgado fell to the ground.

[redacted]

Witness [redacted] related substantially the same as Witness [redacted] up to the point she and Suspect Delgado's [redacted] went to her residence. She confirmed that Suspect Delgado was armed with a butcher knife. After she called 9-1-1, she exited her residence and saw that it appeared that Witness [redacted] had sprayed Suspect Delgado with pepper spray. She returned to her residence with Suspect Delgado's [redacted] and was asked about a child that was missing..

Witness [redacted] said she exited her residence and as she walked westbound on Kettering St., she saw the first radio cars arrive. Suspect Delgado began to walk in the middle of the street and demanded that the deputies shoot him, yelling numerous times, "shoot me, I want to die," as deputy personnel continually instructed Suspect Delgado to drop his knife. Deputy personnel deployed a taser; however, she did not know if it had any effect. She stated that during the incident she did not have a good vantage point, but it appeared that Suspect Delgado was walking away from the deputies. She heard more orders from the deputies for Suspect Delgado to drop his knife and seconds later heard the sound of gun fire.

[redacted]

Witness [redacted] said that earlier in the evening, approximately 1930 hours, she had a conversation with Suspect Delgado and everything appeared to be fine. She then related substantially the same as Witnesses [redacted] adding that although Suspect Delgado was armed with a knife, she did not feel threatened as Suspect Delgado had ample opportunity to attack them but did not.

Witness [redacted] said that she was inside the [redacted] residence and looking out the window when

deputy personnel arrived. She said deputy personnel pointed their guns at Suspect Delgado and repeatedly ordered Suspect Delgado to put down his knife. At this point she exited the residence and was ordered back into the residence by deputy personnel. As she re-entered the residence she heard gun shots, turned around and saw Suspect Delgado on the ground.

[redacted]

Witness [redacted], Suspect Delgado's [redacted], said that she had received several harassing phone calls on the day of the incident form Suspect Delgado. She described Suspect Delgado's behavior as alternating between being well behaved to verbally abusive, relating one incident wherein Suspect Delgado threatened her by saying, "I don't know whether to kill you or let you live."

Witness [redacted] said that she had been on the telephone and when she hung up was startled to find Suspect Delgado inside her residence. Suspect Delgado yelled at her, "Yeah bitch, now what are you going to do. You got a gun for protection, why don't you use it, because I have nothing to live for." Suspect Delgado attacked her by choking her into unconsciousness twice and punching her which resulted in her sustaining a bloody nose. Suspect Delgado continued his attack by grabbing her by her hair and flinging her about the room. She was able to run into the kitchen and when she looked at the knives in a block, Suspect Delgado grabbed a knife. Witness [redacted] entered the residence and she was able to flee the location, going to Witness [redacted] residence. She said she heard Suspect Delgado screaming loudly as patrol personnel arrived. She heard Suspect Delgado yell, "I don't have anything to live for, shoot me." She then heard gun shots.

SUSPECT STATEMENTS:

Luis Delgado

Deceased